

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1781  
08/25/03  
U.S.  
PTO

Docket No.: A03P1057US01

EXPRESS MAIL NO. EV100888805US

Inventor(s): Paul A. Levine; Mark W. Kroll and  
Scott Patrick SimonTitle: SYSTEM AND METHOD FOR PROVIDING IMPROVED  
SPECIFICITY FOR AUTOMATIC MODE SWITCHING  
WITHIN AN IMPLANTABLE MEDICAL DEVICE

15757 U.S. PTO  
10/648080  
08/25/03

MAIL STOP PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith for filing are the following documents:

3 page(s) DATA SHEET  
 46 page(s) application including 42 pages specification; 3 pages claims, and  
1 page abstract  
 16 Sheet(s) of Drawings  
 Formal xx Informal \_\_\_\_\_  
 Declaration  
 Assignment  
 Recordation Form Cover Sheet  
 Power of Attorney by Assignee...  
 Nonpublication Request Under 35 USC 122...  
 Information Disclosure Statement  
 PTO-1449 and references  
 Return Postcard

| CALCULATION OF FEES |  |                     |                                |               |           |         |
|---------------------|--|---------------------|--------------------------------|---------------|-----------|---------|
| ITEM                |  | NO. OF CLAIMS FILED | NO. OF ADDITIONAL CLAIMS FILED | LG ENTITY FEE | \$ AMOUNT | \$ FEE  |
| A                   | TOTAL CLAIMS FEE   | 8 - 20 =            | 0                              | X \$18        | \$ 0      | \$ 0    |
| B                   | INDEPENDENT CLAIMS FEE**                                     | 3 -3 =              | 0                              | X 84          | 0         | 0       |
| C                   | SUBTOTAL - ADDITIONAL CLAIMS FEE (LINES A + B)               |                     |                                |               |           | \$ 0    |
| D                   | MULTIPLE-DEPENDENT CLAIMS FEE LARGE ENTITY FEE = \$270       |                     |                                |               |           |         |
| E                   | BASIC FILING FEE*LARGE ENTITY = \$750                        |                     |                                |               |           | 750     |
| F                   | <b>TOTAL FILING FEE**</b> (ADD TOTALS FOR LINES C, D, AND E) |                     |                                |               |           | \$ 750* |

Charge Deposit Account No. 16-0068  
the amount of

\$750\*

A copy of this letter is  
enclosed.

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0068

Any additional filing fees required under 37 CFR 1.16.

Any patent application processing fees under 37 CFR 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0068

Any patent application processing fees under 37 CFR 1.17.

Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

Date: 8/25/03

  
\_\_\_\_\_  
Derrick Reed, Attorney for Applicants  
Reg. No. 40,138

Correspondence Address:

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15900 Valley View Court  
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I hereby certify that this New Application is being deposited with the United States Postal Service as "Express Mail" mailing label number **EV10088805US** in an envelope as "Express Mail Post Office to Addressee" addressed to the:  
**MAIL STOP PATENT APPLICATION**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450, on:**

August 25, 2003

  
\_\_\_\_\_  
Estella Pneiro 8/25/03 Date

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

|                        |   |
|------------------------|---|
| First Named Inventor   | <b>Paul A. Levine</b>   |
| Title                  | <b>SYSTEM AND METHOD FOR PROVIDING IMPROVED<br/>SPECIFICITY FOR AUTOMATIC MODE SWITCHING<br/>WITHIN AN IMPLANTABLE MEDICAL DEVICE</b> |
| Attorney Docket Number | <b>A03P1057US01</b>   |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

8/25/03

Date



Signature

818/493-2200

Telephone number

Derrick Reed, Reg. No. 40,138

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.